

**IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA**

Civil Writ Petition No.341 of 2001.

Date of decision: 15.12.2006.

Basant Singh	Versus	Petitioner
State of H.P. & Others.		Respondents.

Coram

The Hon'ble Mr.Justice Dev Darshan Sud, J.

Whether approved for reporting ?¹

For the Petitioner: **Mr.R.K. Bawa, Senior Advocate
assisted by Mr.Rajpal Singh
Thakur, Advocate.**

**For Respondents 1 to 3 Mr.Rajan Dewan, Additional
and 5. Advocate General.**

Dev Darshan Sud, J.

The grievance of the petitioner in the present writ petition is that he belongs to the "Keshav Rajput" community/caste and that by inadvertence in the revenue record of Khalshi and other villages falling within the jurisdiction of Gram Panchayat, Majhar, the caste of the petitioner is mentioned as "Kashav".

According to the petitioner, in the Notification, Annexure P-1, which has been issued on 24th October, 1994, the caste/community of the petitioner, has not been treated as Scheduled Caste,

¹ *Whether the reporters of Local Papers may be allowed to see the judgement?*

Scheduled Tribes or Backward Class. The petitioner claims that he belongs to the Backward Class. During the pendency of the writ petition, the State Government has issued Notification No.WLF-F(1)-1/2001, dated 9.8.2004, which has been placed on the record, stating that in supersession of all previous Notifications, the castes/Classes and communities as enumerated in the Notification constitute Scheduled Caste, Scheduled Tribes and other Backward Classes (OBC) etc. in the State of Himachal Pradesh. It is not disputed that the caste/community to which the petitioner belongs is not included in this enumeration.

In view of this, the writ petition has become infructuous and is disposed of accordingly. Liberty is reserved to the petitioner to approach this Court challenging the Notification, as aforesaid, on whatever grounds which are available to him. There shall be no order as to costs.

December 15, 2006.
(aks)

(Dev Darshan Sud)
Judge.